

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH DAKOTA  
SOUTHERN DIVISION

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In the Matter of the Search Regarding: No. 4:21-mj-77

21-081-04

**REDACTED APPLICATION FOR  
SEARCH AND SEIZURE WARRANT**

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I, Craig Scherer, being first duly sworn, hereby depose and state as follows:

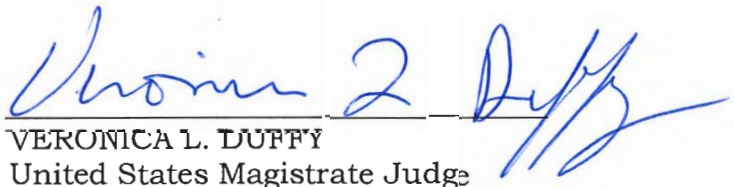
I am a Special Agent with the United States Department of Homeland Security (DHS), Immigration and Customs Enforcement (ICE), Homeland Security Investigations (HSI) in Sioux Falls, South Dakota, and have reason to believe that upon the person and within the property fully described in Attachment A, attached hereto and incorporated herein by reference, there is now concealed certain information, namely: that fully described in Attachment B, attached hereto and incorporated herein by reference, which I believe is property constituting evidence of the commission of criminal offenses, contraband, the fruits of crime, or things otherwise criminally possessed, or property designed or intended for use or which is or has been used as the means of committing criminal offenses, concerning violations of Title 21 U.S.C. §§ 841(a)(1) and 846 (distribution of a controlled substances or conspiracy to distribute or dispense a controlled substance).

The facts to support a finding of Probable Cause are contained in my Affidavit filed herewith.



Craig Scherer, Special Agent  
Homeland Security Investigations

Sworn to and subscribed before me, telephonically, on the 13<sup>th</sup> day of May, 2021, at Sioux Falls, South Dakota.



VERONICA L. DUFFY  
United States Magistrate Judge

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH DAKOTA  
SOUTHERN DIVISION

In the Matter of the Search Regarding: No. 4:21-mj-77

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**REDACTED SEARCH  
AND SEIZURE WARRANT**

TO: ANY AUTHORIZED LAW ENFORCEMENT OFFICER

An application by a federal law enforcement officer or an attorney for the government requests the search of the person and property described in Attachment A, attached hereto and incorporated herein by reference.

I find that the affidavit, or any recorded testimony, establish probable cause to search and seize the property described above for the information fully described in Attachment B, attached hereto and incorporated herein by reference, and that such search will reveal evidence of the violations of Title 21 U.S.C. §§ 841(a)(1) and 846 (distribution of a controlled substances or conspiracy to distribute or dispense a controlled substance) and 18 U.S.C. § 1956 (money laundering).

**YOU ARE COMMANDED** to execute this warrant on or before  
5-27-2021 (not to exceed 14 days)

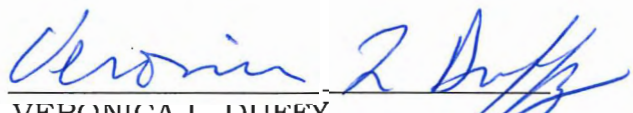
☒ in the daytime - 6:00 a.m. to 10:00 p.m.

☐ at any time in the day or night as I find reasonable cause has been established.

Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property taken to the person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the place where the property was taken.

The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an inventory as required by law and promptly return this warrant and inventory to the undersigned Judge.

5-13-2021 at 1:58 pm CDT at Sioux Falls, South Dakota  
Date and Time Issued Telephonically

  
VERONICA L. DUFFY  
United States Magistrate Judge

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH DAKOTA  
SOUTHERN DIVISION

\_\_\_\_\_  
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**REDACTED RETURN**

\_\_\_\_\_  
Date and time warrant executed: \_\_\_\_\_

Copy of warrant and inventory left with: \_\_\_\_\_

Inventory made in the presence of: \_\_\_\_\_

Inventory of the property taken and name of any person(s) seized (attach additional sheets, if necessary):

**CERTIFICATION**

I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.

\_\_\_\_\_  
Craig Scherer, Special Agent  
Homeland Security Investigations

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH DAKOTA  
SOUTHERN DIVISION

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In the Matter of the Search Regarding No. 4:21-mj-77

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**REDACTED ATTACHMENT A**

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Property to Be Searched

1. The cellular telephone assigned call number [REDACTED] the "Target Telephone," whose service provider is Cellco Partnership, dba Verizon Wireless, Inc., a wireless telephone service provider, headquartered at 180 Washington Valley Road, Bedminster, NJ 07921.
2. Information about the location of the Target Telephone that is within the possession, custody, or control of Cellco Partnership, dba Verizon Wireless, Inc., including information about the location of the cellular telephone if it is subsequently assigned a different call number.

UNITED STATES DISTRICT COURT  
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**REDACTED ATTACHMENT B**

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Particular Things to be Seized

[REDACTED]

[REDACTED]

[REDACTED]

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH DAKOTA  
SOUTHERN DIVISION

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In the Matter of the Search Regarding No. 4:21-mj-77

21-081-04

**REDACTED AFFIDAVIT IN  
SUPPORT OF AN APPLICATION  
FOR A SEARCH WARRANT**

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I, Special Agent Craig Scherer, being first duly sworn, hereby depose and state as follows:

**INTRODUCTION AND AGENT BACKGROUND**

1. I make this affidavit in support of an application for a search warrant under Federal Rule of Criminal Procedure 41 and 18 U.S.C. § 2703(c)(1)(A) for information about the location of the cellular telephone, [REDACTED], fully described in Attachment A, attached hereto and incorporated herein by reference (the "**Target Telephone**"), whose service provider is Cellco Partnership, dba Verizon Wireless, Inc., a wireless telephone service provider, headquartered at 180 Washington Valley Road, Bedminster, NJ 07921. The location information to be seized is described herein and in Attachment B, attached hereto and incorporated herein by reference.

2. I am a Special Agent with the Department of Homeland Security (DHS), Immigration and Customs Enforcement (ICE), Homeland Security Investigations (HSI) in Sioux Falls, South Dakota and have been duly employed in this position since December 2003. I am a graduate of the Criminal Investigator Training Program and ICE Special Agent Training at the Federal Law Enforcement Training Center.

3. As a Special Agent, one of my responsibilities is investigating drug trafficking organizations and associated money laundering methods. I have assisted with numerous investigations into violations of the Federal Controlled Substances Act and I am familiar with the provisions of Titles 21 and 18 of the United States Code. I have been working drug trafficking cases since 2005.

4. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents and witnesses. This affidavit is intended to show merely that there is sufficient

probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

5. Based on the facts set forth in this affidavit, I believe there is probable cause to believe that violations of 21 U.S.C. §§ 841(a)(1) and 846 have been committed, are being committed, and will be committed by [REDACTED], and others. There is also probable cause to believe that the location information described in Attachment B will constitute evidence of these criminal violations and will lead to the identification of individuals who are engaged in the commission of these offenses.

**PROBABLE CAUSE**

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

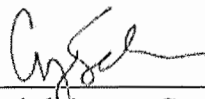
**AUTHORIZATION REQUEST**

24. Based on the foregoing, I request that the Court issue the proposed search warrant, pursuant to Federal Rule of Criminal Procedure 41 and 18 U.S.C. § 2703(c).


25. I further request that the Court direct the Service Provider to disclose to the government any information described in Attachment A that is within its possession, custody, or control. I also request that the Court direct the Service Provider to furnish the government all information, facilities, and technical assistance necessary to accomplish the collection of the information described in Attachment A unobtrusively and with a minimum of interference with its services, including by initiating a signal to determine the location of the Target Telephone on its network or with such other reference points as may be reasonably available, and at such intervals and times directed by the government. The government will compensate the service provider for reasonable expenses incurred in furnishing such facilities or assistance.

26. I further request that the information described in Attachment A be provided for the time period starting the date of issuance of the search warrant, until 30 days from the date of issuance of the search warrant.

27. I further request that the Court authorize execution of the warrant at any time of day or night, owing to the potential need to locate the Target Telephone outside of daytime hours.

  
\_\_\_\_\_  
Special Agent Craig Scherer  
Homeland Security Investigations

Subscribed and sworn to me, telephonically, on the 13<sup>th</sup> day of May, 2021, at Sioux Falls, South Dakota.

  
VERONICA L. DUFFY  
United States Magistrate Judge